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4	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	
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6	BRIAN HOWARD ELLIOTT,	NO. C11-5377 BHS/KLS
7	Petitioner,	ORDER GRANTING
8	v.	RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE
9	ELDON VAIL and WASHINGTON STATE DEPARTMENT OF	ANSWER
10	CORRECTIONS,	
11	Respondents	
12 13	Before the Court is Respondent's Motion for Extension of Time to File an Answer to	
14	Petition for Writ of Habeas Corpus. ECF No. 13. Respondent's Answer is currently due on	
15	August 1, 2011. Respondent requests a forty-five day extension of time until September 14,	
16	2011 to allow counsel sufficient time to review and prepare the relevant state court record. <i>Id.</i>	
17	When counsel for Respondent filed his motion, he had received some but not all of the state	
18	court record. In addition, counsel will be on pre-scheduled military leave out of state from	
19	August 7 to August 21, 2011. Although the motion for extension is noted for August 12, 2011,	
20	the court finds that the request is reasonable.	
21 22	Accordingly, it is ORDERED:	
23	1. Respondent's motion for an extension of time (ECF No. 13) is GRANTED.	
24	Respondent shall file his Answer on or before September 14, 2011. The Answer will be	
2526	treated in accordance with Local Rule CR 7. Accordingly, upon receipt of the Answer the	

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Clerk will note the matter for consideration on the fourth Friday after the answer is filed,

Petitioner may file and serve a response not later than on the Monday immediately preceding

the Friday appointed for consideration of the matter, and Respondent may file and serve a reply
brief not later than the Friday designated for consideration of the matter.

 The Clerk shall send copies of this Order to Petitioner and counsel for Respondent.

DATED this <u>11th</u> day of August, 2011.

Karen L. Strombom

United States Magistrate Judge

ORDER 2